

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 1 - 71 are pending in the application. Currently, all claims stand rejected.

By the present amendment, independent claims 1 and 42 have been amended and claim 45 has been cancelled without prejudice.

In the office action mailed April 10, 2006, claims 35 - 38 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite; claims 1 - 9, 13 - 21, 26 - 28, 31, 32, 35 - 38, 42 - 49, 52 - 55, 57 - 64, and 67 - 70 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,831,296 to Hagle; claims 10 - 12, 22 - 25, 30, 39 - 41, 50 & 51 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hagle in view of U.S. Patent No. 6,240,392 to Butnaru et al.; claim 29 was rejected under 35 U.S.C. 103(a) as being unpatentable over haggle in view of U.S. Patent No. 5,177,467 to Chung-Piao; and claims 33, 34, 65, & 66 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hagle in view of U.S. Patent Publication No. 2004/0098256 to Nissen.

The foregoing rejections are traversed by the instant response.

With regard to the rejection of claims 35 - 38 on indefiniteness grounds, it is submitted that there is nothing indefinite about the claims. The words "aggression", "neutral", and "pleasant" are used in their ordinary context. One of ordinary skill in the art, reading the claims in light of the disclosure, would understand that the term "aggression group" refers to a group of expressive human acts which are physical and/or verbal attacks; that the term "pleasure group" refers to a group of expressive human acts which are agreeable to the mind and/or sense; and that the term "neutral group" refers to human acts which do not fall into the "aggression group" or the "pleasure group". The second paragraph of section 112 only requires that the claims define their invention with a reasonable degree of particularity and distinctness. It is submitted that the claim language used by Applicant falls has the required reasonable degree of particularity and distinctness. As noted in MPEP 2173.02, some latitude in the manner of expression and the aptness of terms should be permitted even though the claim language is not as precise as the examiner might desire.

The present invention relates to a unique method and system for providing information to handicapped persons. The method and system of the present invention allow handicapped persons, such as deaf, blind, and deaf-blind individuals, to receive

sensory reception of visual images displayed on a device, as well as auditory inputs associated therewith.

It is well settled law that an anticipatory reference must describe the subject matter with sufficient clarity and detail to establish that the claimed subject matter existed in the prior art and that such existence would be recognized by persons of ordinary skill in the field of the invention. See *In re Spada*, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1991); also see *Diversitech Corp. v. Century Steps, Inc.*, 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988). As will be seen from the following discussion, the Hagle patent relied upon by the Examiner does meet this test and therefore is not an anticipatory reference.

Claim 1 as amended herein is directed to a method for communicating visual images to a handicapped person, which method comprises the steps of providing at least one device for physically transmitting information to said handicapped person; and providing information about the visual images to the handicapped person. The information providing step comprises delivering a key word describing a portion of a visual image to said handicapped person using said at least one device. Nowhere does Hagle use the phrase "visual image". Nowhere does Hagle say that the device for physically transmitting information to the handicapped person is used to transmit any information about

any visual image. Nowhere does Hagle say that the information providing step comprises delivering a key word describing a portion of a visual image. Simply, Hagle has nothing to do with the claimed method. Thus, claim 1 is clearly not anticipated by Hagle.

Similarly, claims 2 - 8, 13 - 21, 26 -28, 31, 32, and 35 - 38 are not anticipated by Hagle. Hagle says nothing about delivering the key word in Morse code (claim 2) or in Braille form (claim 3). In fact, Hagle is clear that he does not want encode the signals being transmitted to the person (see column 1, lines 62 - 65). Hagle does not transmit any signal of any type to the palm of the user (claims 4 - 6); does not transmit a continuance signal (claims 6 and 7); does not deliver information about a musical background (claims 8 and 9); does not provide information about a state of reception of a system on which

A visual image is displayed (claim 13); does not transmit information about the visual images to the back of at least one finger (claim 14); does not transmit information about the character of a person displayed in any visual images (claim 15); does not transmit information about a bad character to fingers of a first group and information about a good character to fingers of a second group (claim 16); does not designate fingers for receiving information about male and female characters

(claim 17); does not transmit information about an age or personality of a character (claim 18); does not transmit information to a front portion of at least one finger (claim 19); does not transmit information about a profession of a character (claim 21); does not transmit information about spoken dialogue (claims 26 and 27); does not use the thumb of a person to perform control functions (claim 28); does not transmit information about at least one of female representation and cross relationships to a front portion of a pinky (claim 31); does not use a pinky to select a channel (claim 32); and does not transmit information about any group to at least one finger of at least one hand (claims 35 - 38). In fact, Hagle is totally silent on all these points. Thus, it can not be said that Hagle would establish that the claimed subject matter existed in the prior art and that such existence would be recognized by persons of ordinary skill in the art.

Amended claim 42 is directed to a system for communicating visual images to a handicapped person. The system comprises at least one device for physically transmitting information to said handicapped person; and said at least one device including means for delivering a key word to said handicapped person. The at least one device further comprises means for delivering at least one physical input describing a dynamic element to a palm of the handicapped

person. It is submitted that Hagle does not anticipate this claim. For one thing, Hagle does not disclose providing any signals to the palm of a user's hand. In fact, the word "palm" is nowhere in Hagle. Thus, Hagle does not disclose the claimed delivering means. Further, as noted above, Hagle has nothing at all to do with transmitting information about visual images.

Claims 43, 44, 46 - 49, 52 - 55, 57 - 64, and 67 - 70 are allowable for the same reasons as claim 42 as well as on their own accord. Hagle does not disclose any of the means set forth in claims 43, 44, 46 - 49, 52 - 55, 57 - 64, and 67 - 70. The Examiner's contention that these features are present in Hagle is incorrect. There is nothing in the written description in Hagle or the drawings of Hagle which teach or suggest these features. The Examiner must read the reference as to what it describes to one of ordinary skill in the art. It is improper for the Examiner to try and interpret the reference to fit the claims. Once again, it cannot be said that the claimed subject matter is described in Hagle with sufficient clarity and detail to establish that it existed in the prior art and would be recognized by persons of ordinary skill in the field of the invention.

The rejections on obviousness grounds are duly noted; however, they are moot in view of the aforesaid deficiencies of Hagle. The secondary references to Butnaru et al., Chung-Piao,

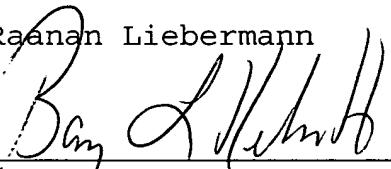
and Nissen do not cure the aforenoted deficiencies of Hagle. Thus, claims 10 - 12, 22 - 25, 29, 30, 33, 34, 39 -41, 50, 51, 65 and 66 are allowable for the same reasons as their parent claims. Further, Hagle is directed to a communication system where all communications are done in the form of individual letters as they are found on a typewrite keyboard. There is absolutely no reason to modify Hagle to have any of the features shown in any of the secondary references. The mere fact that some prior art structure could be modified is not the basis for an obviousness rejection. The Examiner has not shown why one of ordinary skill in the art would be motivated to modify Hagle's system as suggested by the Examiner.

The instant application is believed to be allowable for the foregoing reasons. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby invited to contact Applicant's attorney at the telephone number listed below.

A request for a one-month extension of time is enclosed herewith along with a check in the amount of \$60.00 to cover the extension of time fee. Should the Director determine that an additional fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,

By 
Raanan Liebermann
Barry L. Kelmachter
BACHMAN & LaPOINTE, P.C.
Reg. No. 29,999
Attorney for Applicants

Telephone: (203) 777-6628

Telefax: (203) 865-0297

Date: August 9, 2006

Email: docket@bachlap.com

I, Karen M. Gill, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on August 9, 2006.

